

# Milbank

MATTHEW LAROCHE

Partner

55 Hudson Yards | New York, NY 10001-2163

T: +1 (212) 530-5514

mlaroche@milbank.com | milbank.com

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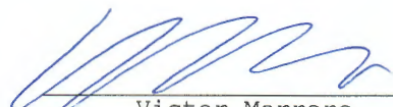
May 30, 2025

**VIA ECF**

The Honorable Victor Marrero  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

Request **GRANTED**. The Defendant's pro se motion to dismiss the indictment is hereby withdrawn. The Clerk of Court is respectfully directed to remove the Defendant's pro se motion (Dkt. No. 55) from the docket.

SO ORDERED.

  
Victor Marrero  
U.S.D.J.

Dated: June 4, 2025

Re: United States v. Nikhil Gupta, 23 Cr. 289 (VM)

Dear Judge Marrero:

We write on behalf of Defendant Nikhil Gupta in response to the Court's May 30, 2025, order concerning a pro se motion that was docketed yesterday. Dkt. 55 (*Pro Se Motion*), 56 (Order). We spoke with Mr. Gupta this morning who confirmed to us that he (i) is very satisfied with our representation; (ii) does not wish to proceed *pro se* in this action; (iii) does not wish to move forward with the motion and inadvertently filed it; and (iv) requests that the motion be withdrawn and removed from the docket. As a result, we respectfully request that the Court withdraw the motion and remove it from the docket.

The government's position is that the Court should allocute the defendant at the next pretrial conference regarding (i) his satisfaction with current counsel, (ii) whether he wishes to proceed *pro se* in this action, (iii) whether he wishes to move forward with the motion, and (iv) whether he wishes that the motion be withdrawn. The defense does not believe this is necessary, because we have communicated about this issue with Mr. Gupta and have accurately conveyed Mr. Gupta's position to the Court.

Respectfully submitted,



Matthew Laroche / Nola B. Heller

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